

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MUNCHKIN, INC.,

Plaintiff,

v.

TOMY INTERNATIONAL, INC.

Defendant.

Case No. 1:18-cv-6337

**TOMY INTERNATIONAL, INC.’S MOTION FOR  
JUDGMENT AS A MATTER OF LAW**

Defendant TOMY International, Inc. (“TOMY”), by and through its undersigned counsel, hereby moves under Rule 50(a) of the Federal Rules of Civil Procedure to respectfully request that this Court enter judgment as a matter of law in TOMY’s favor on Plaintiff Munchkin, Inc.’s (“Munchkin”) claims for: (1) infringement of U.S. Patent No. D744,281 (the “’281 Patent”); (2) a finding of willful infringement of U.S. Patent No. 9,888,796 (the “’796 Patent”) and (if applicable) the ’281 Patent; (3) request for pre-issuance damages as related to the ’796 Patent; and (4) lost profits. Munchkin has been fully heard on each of these counts, and no reasonable jury would have a legally sufficient evidentiary basis to find in Munchkin’s favor on any of the foregoing claims.

This motion is further supported by Defendant’s Memorandum in Support of Motion for Judgment as a Matter of Law.

Accordingly, TOMY respectfully requests that the Court grant its Motion to for Judgment as a Matter of Law.

Dated this 10<sup>th</sup> day of September, 2025.

HUSCH BLACKWELL LLP  
Attorneys for TOMY International, Inc.

By: /s/ Thomas P. Heneghan  
Thomas P. Heneghan  
Natalia S. Kruse  
33 East Main Street, Suite 300  
Madison, Wisconsin 53703  
608.255.4440  
608.258.7138 (fax)  
[Tom.Heneghan@huschblackwell.com](mailto:Tom.Heneghan@huschblackwell.com)  
[Natalia.Kruse@huschblackwell.com](mailto:Natalia.Kruse@huschblackwell.com)

Avery Hitchcock  
511 N. Broadway, Suite 1100  
Milwaukee, Wisconsin 53202  
414.273.2100  
414.223.5000 (fax)  
[Avery.Hitchcock@huschblackwell.com](mailto:Avery.Hitchcock@huschblackwell.com)